

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

OSCAR F. TURNER-BEY, Register No. 168840,)	
)	
Plaintiff,)	
)	
v.)	No. 05-4384-CV-C-SOW
)	
DAVE DORMIRE, et al.,)	
)	
Defendants.)	

ORDER

On March 10, 2006, the United States Magistrate Judge recommended dismissing plaintiff's claims against defendant C. Dorsey, pursuant to Fed. R. Civ. P. 4(m). The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C).

The court has conducted a de novo review of the record, including the exceptions filed by plaintiff on March 20, 2006. The issues raised in plaintiff's exceptions were adequately addressed in the report and recommendation. The court is persuaded that the recommendation of the Magistrate Judge is correct and should be adopted.

On March 20, 2006, plaintiff filed a motion for reconsideration. Plaintiff's motion will be treated as one requesting relief from this court's order of March 7, 2006, denying his motion for a temporary restraining order. Fed. R. Civ. P. 60(b) "provides for extraordinary relief which may be granted only upon an adequate showing of exceptional circumstances." Reyher v. Champion, 975 F.2d 483, 488 (8th Cir. 1992) (quoting United States v. Young, 806 F.2d 805, 806 (8th Cir. 1986)). No exceptional circumstances justifying relief have been shown. Plaintiff's claims of religious discrimination can be appropriately and adequately addressed via the normal processing of this case.

THEREFORE, IT IS ORDERED that plaintiff's motion for relief from this court's order of March 7, 2006, is denied [15]. It is further

ORDERED that the Magistrate Judge's March 10, 2006 Report and Recommendation is adopted [14]. It is further

ORDERED that plaintiff's claims against defendant C. Dorsey are dismissed, pursuant to 28 U.S.C. § 1915A, for failure to state a claim.

/s/Scott O. Wright

SCOTT O. WRIGHT

Senior United States District Judge

Dated: April 24, 2006